

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/2/2023
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UNITED STATES OF AMERICA,

Plaintiff,

-v.-

\$2,337,674.62 SEIZED FROM  
METROPOLITAN COMMERCIAL BANK  
ACCOUNT 0199010765, HELD IN THE NAME  
OF "DELACROIX INVESTMENT FUND,"

Defendant-*in-rem*.

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JUDGMENT OF FORFEITURE

22 Civ. 10223 (MKV)

WHEREAS, on or about December 6, 2022, the United States commenced an *in-rem* forfeiture action by filing a Verified Complaint for Forfeiture (the "Forfeiture Complaint") seeking the forfeiture of the following assets:

- i. \$2,337,674.62 seized from Metropolitan Commercial Bank Account 0199010765, held in the name of "Delacroix Investment Fund"

(the "Defendant Funds");

WHEREAS, the Verified Complaint alleged that the Defendant Funds are subject to forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(A), 1956 and 1960;

WHEREAS, notice of the Verified Complaint against the Defendant Funds was posted on the official government internet site, [www.forfeiture.gov](http://www.forfeiture.gov), for at least 30 consecutive days, beginning on December 17, 2022 through January 15, 2023, and proof of such publication was filed with the Clerk of this Court on February 10, 2023 (D.E. 10);

WHEREAS, as set forth in Rule G(4)(a)(ii) and Rule G(5)(a)(ii), the notice of

forfeiture specified the Defendant Funds and the intent of the United States to forfeit and dispose of the Defendant Funds, thereby notifying all third parties of their right to file a claim to adjudicate the validity of their alleged legal interest in the Defendant Funds, within sixty days from the first day of publication of the Notice on the official government internet site;

WHEREAS, on or about December 21, 2022, Delacroix filed a Verified Claim asserting an ownership interest in the Defendant Funds (the “Delacroix Claim”) (D.E. 4);

WHEREAS, on or about January 9, 2023, the Court entered a Stipulation and Order of Settlement between Plaintiff United States and Claimant Delacroix whereby the parties agreed that \$1,472,735.01 of the Defendant Funds would be forfeited to the United States (the “Forfeiture Funds”), and that the balance of the Defendant Funds in the amount of \$864,939.61 would be returned to Delacroix (the “Release Funds”) (D.E. 7); and

WHEREAS, no claims or answers have been filed or made in this action, except the settled Delacroix Claim, and no other parties have appeared to contest the action, and the requisite time periods in which to do so, as set forth in Title 18, United States Code, Section 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Forfeiture Funds shall be, and the same hereby are, forfeited to the plaintiff United States of America.


2. The Release Funds shall be returned to claimant Delacroix via payment made through the United States Treasury.

3. The United States Treasury (or its designee) shall dispose of the Forfeiture Funds according to law.

The Clerk of Court is directed to terminate the motion at docket entry 12.

**Granted. SO ORDERED.**

Date: 3/2/2023  
New York, New York

  
Mary Kay Viskocil  
United States District Judge